

UNITED STATES OF AMERICA
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

-against-

JOSEPH ANI,

Defendant.

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MEMORANDUM AND ORDER

10 CR 701 (ILG)

GLASSER, United States District Judge:

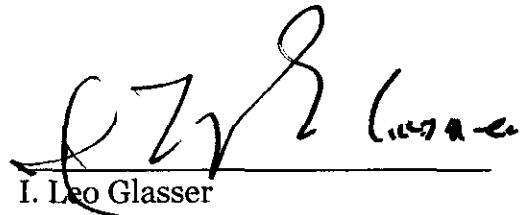
The defendant, *pro se*, moves this Court for an Order pursuant to Rule 41(e), Fed. R. Cr. P. (properly intended to be Rule 41(g)), that would direct the government to return property seized from his home on September 9, 2010, in execution of a search warrant. Among the items he seeks he listed “cellular phones, ipod, several laptops, at least one desktop computer, assorted credit and debit cards, two Nigerian-issued passports, US-issued passport, and other lawful items.” He also demanded the inventory listing of the seized items. DE 112.

The government responded by letter enclosing all the evidence custody reports pertaining to that search Bates stamped 0000001-000000077. The letter advises that the custody reports reflect that the only passport seized belonging to the defendant “was an expired Nigerian passport which was destroyed with the rest of the evidence in question on or about December 5, 2013.” The government also advises that it furnished the defendant with a copy of the information page of his Nigerian passport that expired on November 28, 2007, and a copy of his U.S. Certificate of Naturalization and that it will return to his designated representative his valid New York driver’s license which it possesses. All the other relevant evidence that was seized has been destroyed. DE 117.

Thus, the only property still in the government's possession is his N.Y. driver's license which it is prepared to return to the person he designates. The multiple pages of the custody reports have been enclosed and forwarded to him with the government's response to his motion, which is essentially moot.

SO ORDERED.

Dated: Brooklyn, New York
February 6, 2015



I. Leo Glasser

Filed on ECF and copy mailed to Joseph Ani